

Application No. 08/808,315
Attorney Docket No. 81800.0087

REMARKS/ARGUMENTS

Claim 17 is canceled without prejudice. Claim 20 is amended. Support for amended claim 20 is found in Applicant's Specification at, e.g., p. 15, lines 4-12. New claim 22 is added. Claims 20-22 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. § 1.116(a). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 C.F.R. § 1.116(b). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the Final Office Action.

Admission is requested under 37 C.F.R. § 1.116(a) as presenting rejected claims in better form for consideration on appeal.

The present amendment is also submitted in connection with a Request for Continued Examination that has been filed concurrently herewith. Applicant respectfully submits that this amendment satisfies the submission requirement of 37 C.F.R. 1.114. Examination and consideration of the claims pursuant to the filed Request for Continued Examination is respectfully requested.

In the immediately prior Office Action, Claims 17 and 20-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Regler et al. (U.S. Patent No. 4,161,167). Claims 17 and 20-21 were also rejected under 35 U.S.C. § 102(b) as having been anticipated by Kato et al. (U.S. Patent No. 4,662,124). In this submission, these rejections have been rendered moot with respect to claim 17 because claim 17 has been cancelled without prejudice. Claim 20 has been amended. Applicant respectfully submits that claims 20-22, as amended, patentably distinguish over the cited art.

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Amended Claim 20 is as follows:

20. A sapphire monocrystal plate comprising a sapphire monocrystal having a major face, a working reference plane on a peripheral edge of the plate, the working reference plane being substantially parallel or perpendicular to a plane R of the sapphire monocrystal, wherein the major face is a plane A or a plane C of the sapphire monocrystal and has a surface roughness (Ra) of 0.1 μm or less.

As amended, claim 20 requires a sapphire monocrystal plate comprising a major face, "wherein the major face is a plane A or a plane C of the sapphire monocrystal and has a surface roughness (Ra) of 0.1 μm or less." Applicant respectfully suggests that neither Regler et al. or Kato et al. teach or suggest a sapphire monocrystal plate "wherein the major face is a plane A or a plane C of the sapphire monocrystal and has a surface roughness (Ra) of 0.1 μm or less." As such, amended claim 20 patentably distinguishes over the cited prior art.

Claims 21 and 22 depend from amended claim 20 and are patentable for at least the same reasons as amended claim 20. Withdrawal of the rejections of claim 21 and allowance of claims 21 and 22 is respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6810 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

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Date: May 19, 2003

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